

ORDINANCE NO. 2009-02

FILED
CITY CLERK

2009 MAR 26 P 3:33

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF
TIPPECANOE COUNTY, INDIANA, TO REZONE CERTAIN
REAL ESTATE, FROM AW TO R1 CINDY MURRAY

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE,
TIPPECANOE COUNTY, INDIANA:

Section I. The Unified Zoning Ordinance of Tippecanoe County, Indiana, being a separate ordinance and part of the Municipal Code of Lafayette, Indiana, is hereby amended to rezone the following described real estate situated in Fairfield Township, Tippecanoe County, Indiana, to wit:

(See legal description attached hereto)

Section II. The real estate described above should be and the same is hereby rezoned from AW to R1.

Section III. This ordinance shall be in full force and effect from and after its passage.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE,
INDIANA THIS 6 DAY OF April 2009.

Melissa Weast-Williamson
Steven P. Meyer, Presiding Officer

Melissa Weast-Williamson, President Pro-tem

ATTEST:

Cindy Murray
Cindy Murray, City Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, on the 6 day of
April, 2009

Cindy Murray
Cindy Murray, City Clerk

This Ordinance approved and signed by me on the 6 day of April 2009.

Tony Roswarski
Tony Roswarski, Mayor

ATTEST:

Cindy Murray
Cindy Murray, City Clerk

A part of Lot #6 in Reynolds, Addition of outlots, as platted upon the West half of the West half of Section 32, Township 23 North, Range 4 West, in Fairfield Township, Tippecanoe County, Indiana, being more particularly described as follows:

Commencing at the Northeast corner of the Northwest Quarter of the Southwest Quarter of said Section 32; thence S02-47" E for 284.84 feet to a point on the Northerly right of way line of State Road #43, Said point being 45 feet Northerly from the centerline of the present pavement; thence S64-03' W for 137.11 feet to a point on the present right of way of State Road #43, said point being 40 feet Northerly from the centerline of the present pavement; thence Westerly along said right of way line on a curve to the left having a radius of 1602.61 feet for a distance of 212.5 feet, extended by a long chord bearing S59-43'-30" W and a length of 212.44 feet, said point being 40 feet N of the centerline of the existing pavement; said point also being the Southeast corner of the Melvin M Cadle property; thence South 38-58" West along said East line of the Cadle property 300.60 feet, said point being Northwest corner of the Elston Heights Baptist Church, said point being the true point of beginning of the following described tract: thence North 32-58' West for 207.43 feet; thence North 51-02' East for 210.0 feet; thence South 38-58' East 207.43 feet to the Northeast corner of said Elston Heights Baptist Church; thence South 51-02' West along the Northerly line of said Elston Heights Baptist Church property for 210-0 feet to the point of beginning, containing 1.0 acres more or less.

And:

Commencing at the Northeast corner of the Northwest Quarter of the Southwest Quarter of said Section 32, and running thence South 2 degrees 47 minutes East, 284.04 feet to a point on the Northerly right of way line of State Road No. 43, said point being 45 feet Northerly from the center line of the present pavement; thence South 64 degrees and 03 minutes West 137.11 to a point on the present right of way of said State Road No. 43, said point being 40 feet northerly from the center line of the presented pavement; thence westerly along said right of way line on a curve to the left having a radius of 1602.61 feet for a distance of 212.5 feet, subtended by a long chord bearing South 59 degrees and 43 1/2 minutes West and a length of 212.44 feet to the point of beginning of this description said point being 40 feet North of the center line of the existing pavement said point also being the southeast corner of the Melvin M. Cadle property:

Thence North 38 degrees and 58 minutes West along said east line of the Cadle property, 300.0 feet; thence North 51 degrees and 02 minutes East, 210 feet; thence South 38 degrees and 58 minutes East, 332.10 feet; to a point on the right of way of State Road No. 43; thence westerly on said northerly right of way line, 212.3 feet to the point of beginning, containing 1.52 acres, more or less.

THE

Area Plan Commission

of TIPPECANOE COUNTY

20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901-1209

(765) 423-9242
(765) 423-9154 [FAX]
www.tippecanoe.in.gov/apc

SALLIE DELL FAHEY
EXECUTIVE DIRECTOR

March 19, 2009
Ref. No.: 09-075

Lafayette City Council
20 North 6th Street
Lafayette IN 47901

CERTIFICATION

RE: **Z-2395 ELSTON FAMILY CHURCH (AW to R1):**
Petitioner is requesting rezoning of 2.52 acres located at 2424 Old US
231 South, in Lafayette, Fairfield 32 (SW) 23-4.

Dear Council:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on March 18, 2009 the Area Plan Commission of Tippecanoe County voted 11 yes - 0 no on the motion to rezone the subject real estate from AW to R1. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Lafayette City Council that the proposed rezoning ordinance be APPROVED for the property described in the attachment.

Public Notice has been given that this petition will be heard before the Lafayette City Council at their April 6, 2009 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,


Sallie Dell Fahey
Executive Director

SDF/lmu

Enclosures: Staff Report & Ordinances

cc: Randy Skidmore, Elston Family Church
Mike Keith
Terri Griffin, INDOT
Ken Brown, Zoning Enforcement Officer